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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

TAHA, SHAQ

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/747,676	<b>Applicant(s)</b> BEN-YOSEPH, ROY	
	<b>Examiner</b> SHAQ TAHA	<b>Art Unit</b> 2146	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 December 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☐ Claim(s) \_\_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 - 55 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)               | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)      | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)    | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>04/05/2004, 03/28/2005, 02/23/2007, 12/21/2007, 02/25/2008</u> . | 6) <input type="checkbox"/> Other: _____                          |



## DETAILED ACTION

### **Claim Rejections - 35 USC § 103**

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

- Claims 1, 2, 4 - 7, 9 - 17, 19 - 29, 31 - 34, 36 - 44, and 46 - 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dieterman et al. (US 6,393,464), and further in view of Kirsch et al. (US 7,206,814).

Regarding claim 1& 28 & 55, Dieterman teaches a method comprising: maintaining a list of people known to a user, **[The method utilizes a list of allowed electronic addresses with whom the user is permitted to freely exchange messages, (Column 2, lines 1 - 3)];**

receiving a message directed from a sender to the user, **[Fig. 6, Ref # 81];**

enabling the user to interact with the message from the sender, **[Fig. 6, Ref # 85 when the user can view a message from the sender];**

determining whether the sender is associated with the user based, at least in part, on interactions between the user and a the received message directed to the user, **[[Each message sent by or sent to the user will be categorized as either authorized if the other party to the communication appears on the allowed list, or unauthorized if the other party does not appear on the allowed list, (Column 2, lines 3 – 6)];**

Dieterman differs from the claimed invention is that adding the sender to the list when the person is determined to be known to the user based, at least in part, on interactions between the user and the received message is not taught in Dieterman et al.

Kirsch et al. teaches a method and system for categorizing and processing e-mails. Kirsch et al. further teaches adding the sender to the list when the person is determined to be known to the user based, at least in part, on interactions between the user and the received message, **[Adding a sender to the list when the sender's reputation passes a predetermined threshold indicating a good**

**reputation, (Column 23, line 38];** and using the list to control aspects of communications between the user and others based on whether the others are included on the list, **[Fig. 6, Ref # 134 and 136, wherein updating the statistics of the sender and changing the status of the actual sender].**

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Dieterman et al. by including adding a sender to the list when the sender's reputation passes a predetermined threshold indicating a good reputation as taught by Kirsch.

One of ordinary skill in the art would have been motivated to make this Modifications in order to provide the advantage of adding the sender to the list when the person is determined to be known to the user based, at least in part, on interactions between the user and the received message.

Regarding claim 2 & 29 Dieterman teaches the method wherein the received message is an e-mail message received from the sender, **[Fig. 2, Ref # 17].**

Regarding claim 4 & 31 Dieterman teaches the method wherein interactions include moving the e-mail from a first folder to a second folder, **[Fig. 9, (outbox), Fig. 10, (inbox)].**

Regarding claim 5 & 32 Dieterman teaches the method wherein the first folder is an inbox folder and the second folder is a folder other than a delete folder or a spam folder, **[Fig. 9, (outbox), Fig. 10, (inbox)]**.

Regarding claim 6 & 33 Dieterman teaches the method wherein the interactions include maintaining the e-mail received from the sender in an open state for a predetermined period of time, **[If approval is not given, step 60, the message will be deleted after a predetermined amount of time, (Column 5, lines 44 - 46)]**.

Regarding claim 7 & 34 Dieterman teaches the method further comprising determining that a person is associated with the user based, at least in part, on the user sending a message to the person, **[almost anyone with a computer can communicate with other computer users to send and receive messages, (Column 1, lines 12 – 15)]**.

Regarding claim 9 & 36 Dieterman teaches the method further comprising determining that a person is associated with the user based, at least in part, on indicia other than actions performed by the user, **[The user will receive an indication that the administrator must approve the e-mail before it will be sent, (Column 2, lines 11 - 13)]**;

wherein determining based on indicia other than actions performed by the user comprises: accessing a contact list of the user to determine a first contact on the user's contact list, **[Fig. 7]**;  
and accessing a contact list of the first contact to determine a second contact on the first contact's contact list, **[Fig. 8]**.

Regarding claim 10 & 37 Dieterman teaches the method further comprising determining that a person is associated with the user based, at least in part, on detecting user actions that mitigate against factors that otherwise are used to infer a person is associated with the user, **[a method for controlling the delivery of electronic messages sent to and sent by a user. Specifically, the method comprises the steps of: creating an allowed list comprised of electronic entity identifications with whom the user is permitted to freely exchange messages, (Column 2, lines 20 – 25)]**.

Regarding claim 11 & 38 Dieterman teaches the method wherein the user actions comprise the user taking steps to report a communication from the person as spam, **[Fig. 6, Ref # 88]**.

Regarding claim 12 & 39 Dieterman teaches the method wherein the user actions comprise the user taking steps to add a person to a blacklist, **[Fig. 2, Ref # 15, 16, 17]**.



Regarding claim 13 & 40 Dieterman teaches the method wherein the user actions comprise the user taking steps to move a communication from the person to at least one of a spam folder or a delete folder, **[Fig. 4, Ref # 77]**.

Regarding claim 14 & 41 Dieterman teaches the method wherein people associated with the user are people not distrusted by the user, **[Each message sent by or sent to the user will be categorized as either authorized if the other party to the communication appears on the allowed list, (Column 2, lines 3 – 6)]**.

Regarding claim 15 & 42 Dieterman teaches the method wherein using the list comprises using the list as a white list such that communications received from people on the list are exempt from spam filtering, **[Outgoing messages which are authorized will be transmitted to their destination, and incoming messages which are authorized can be opened and viewed by the user, (Column 2, lines 7 – 10)]**.

Regarding claim 16 & 43 Dieterman teaches the method wherein using the list comprises using the list to restrict received communications to those communications from people on the list, **[Each message sent by or sent to the user will be categorized as either authorized if the other party to the communication appears on the allowed list, (Column 2, lines 3 – 6)]**.

Regarding claim 17 & 44 Dieterman teaches the method wherein the communications are e-mails, **[Fig. 2, Ref # 17]**.

Regarding claim 19 & 46 Dieterman teaches the method wherein people associated with the user are people known to the user, **[Each message sent by or sent to the user will be categorized as either authorized if the other party to the communication appears on the allowed list, (Column 2, lines 3 – 5)]**.

Regarding claim 20 & 47 Dieterman teaches the method wherein using the list comprises using the list to filter a display of e-mail such that e-mails from people on the list are shown on the display and e-mails from people not on the list are absent from the display, **[Fig. 2, a client email terminal device screen display which allows an administrator to create, view and edit a list of allowed email addresses with whom the user may exchange email messages,(Column 2, lines 51 – 53)]**.

Regarding claim 21 & 48 Dieterman teaches the method wherein using the list comprises using the list to filter a display of e-mail such that e-mails from people not on the list are shown on the display and e-mails from people on the list are absent from the display, **[Fig. 2, a client email terminal device screen display which allows an administrator to create, view and edit a list of allowed email**

**addresses with whom the user may exchange email messages,(Column 2, lines 51 – 53)].**

Regarding claim 22 & 49 Dieterman teaches the method wherein using the list comprises using the list to restrict which instant messaging interfaces display an online presence of the user to those instant messaging interfaces associated with people on the list, **[Fig. 2, a client email terminal device screen display which allows an administrator to create, view and edit a list of allowed email addresses with whom the user may exchange email messages,(Column 2, lines 51 – 53)].**

Regarding claim 23 & 50 Dieterman teaches the method wherein using the list comprises using the list as a white list operating in conjunction with parental controls to filter communications from people not on the list when the communications include indicia that the content of the communication is inappropriate for a teen or child account user, **[a parent at work can use any computer with internet access to add, delete, or change the list people with whom their child can communicate, (Column 6, lines 46 – 50)].**

Regarding claim 24 & 51 Dieterman teaches the method wherein filtering communications comprises blocking the communications from people not on the list when the communications include indicia that the content of the communication is

inappropriate for a teen or child account user, **[Outgoing messages which are not authorized will not be transmitted, but rather will be held. The user will receive an indication that the administrator must approve the e-mail before it will be sent, (Column 2, lines 8 – 13)]**.

Regarding claim 25 & 52 Dieterman teaches the method wherein filtering communications comprises placing communications from people not on the list in a spam folder the communications include indicia that the content of the communication is inappropriate for a teen or child account user, **[Outgoing messages which are not authorized will not be transmitted, but rather will be held. The user will receive an indication that the administrator must approve the e-mail before it will be sent, (Column 2, lines 8 – 13)]**.

Regarding claim 26 & 53 Dieterman teaches the method wherein the spam folder is locked from the teen or child account user, **[incoming e-mails which are not sent by an entity whose address appears in the list of allowed addresses, cannot be opened or read by the user. The user will be prompted to seek approval of the incoming message from the administer, (Column 2, lines 13 – 18)]**.

Regarding claim 27 & 54 Dieterman teaches the method wherein the communications are e-mails, **[Fig. 2, Ref # 17]**.

- Claims 3, 8, 18, 30, 35, and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dieterman et al., in view of Kirsch et al., and further in view of Tucciarone et al. (US 2003/0009385).

Regarding claim 3 & 30, Dieterman teaches a method for controlling the delivery of electronic mail, **(See Abstract)**.

Dieterman et al. and Kirsch et al. differ from the claimed invention is that replying, forwarding, saving and printing is not taught in Neither Dieterman et al. or Kirsch et al.

Tucciarone teaches Electronic messaging system and method thereof.

Tucciarone further teaches the method wherein the interactions include replying to, forwarding, saving, or printing the e-mail message received from the person, **[the user's specific behaviors(open/save/delete/forward/et al.) in response to a given e-mail received, (Paragraph 0010)]**.

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It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Dieterman et al. and Kirsch by including replying to and forwarding and saving and printing as taught by Tucciarone.

One of ordinary skill in the art would have been motivated to make this Modifications in order to provide the advantage of replying to and forwarding and saving, and printing the e-mail message received from the person.

Regarding Claims 8, 18, 35 and 45, Dieterman teaches a method for controlling the delivery of electronic mail, **(See Abstract)**.

Dieterman et al. and Kirsch et al. differ from the claimed invention is that the (communications are instant messages) is not taught in Neither Dieterman et al. or Kirsch et al.

Tucciarone teaches a method on-request service precluding unwanted solicitation of electronic messages, **(See Abstract)**, and further teaches that provide such information by e-mail or alternate e-messaging protocol, e.g., instant messaging, **(Paragraph 0016 )**. Tucciarone provides the advantage of that the communications are instant messages.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Dieterman et al. and Kirsch by including instant messages as communications as taught by Tucciarone.

One of ordinary skill in the art would have been motivated to make this

Modifications in order to provide the advantage of communications are instant messages.

### **Conclusion**

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Shaq Taha** whose telephone number is 571-270-1921. The examiner can normally be reached on 8:30am-5pm Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Jeff Put** can be reached on 571-272-6798.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

3/24/08

S. Taha

/Jeffrey Pwu/

Supervisory Patent Examiner, Art Unit 2146